

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

2009 MAR 12 AM 10:55

CLERK *R. Auk*
SO. DIST. OF GA.

JAMIE McDANIEL,

Plaintiff,

v.

CIVIL ACTION NO.: CV507-079

ROBERT SMITH; ALAN G. PAULK, JR.;
ALAN G. PAULK, SR.; JACK HARPER;
TODD WINKLER; JOHN DOE 1, and
JOHN DOES 2-5,

Defendants.

O R D E R

Defendants Robert Smith and Todd Winkler filed a Motion to Exclude Putative Expert Testimony of Michael Tate. (Doc. 148.) Plaintiff filed a Response, and Defendants filed a Reply. The undersigned held a hearing on March 3, 2009, in Waycross, Georgia, on said Motion. At the hearing, counsel for Plaintiff stated that Michael Tate would offer no opinion testimony in the captioned case, but would provide testimony as to his experiences only. Tate is hereby precluded from offering any opinion in this case and specifically is precluded from testifying as whether, in his opinion, Defendants engaged in a criminal conspiracy. To that extent, Defendants' Motion is **granted**; otherwise, it is **denied**. At trial, Defendants may assert objections to specific questions propounded to Tate.

SO ORDERED, this 12th day of March, 2009.

James E. Graham
JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE